

P19757.A07

protrude beyond the group of positive electrode plates on the opposite side, the protruding portions forming the lead portions; and

wherein each collector plate is ^{of a single configuration} substantially C-shaped to restrict the group of positive electrode plates and the group of negative electrode plates.---

REMARKS

Applicants would first like to thank the Examiner for his courtesy in conducting a telephone interview with Applicants' representative, Joshua Povsner, on November 4, 2002.

Upon entry of the present amendment, Applicants will have amended claim 1 to recite a feature from dependent claim 4. Claim 4 will have been amended to cancel the feature incorporated into claim 1. Additionally, Applicants will have added independent claim 15 to recite substantially all of the features of claims 1 and 12 before the amendment to claim 1 made by the present amendment. In view of the herein-contained remarks and amendments, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, as well as an indication of the allowability of each of the claims now pending.

In the above-noted Final Official Action, the Examiner rejected claims 1, 3-8 and 12-14 under 35 U.S.C. §102(b) over EDWARDS et al. (U.S. Patent No. 4,603,093). Claim 9

P19757.A07

was rejected under 35 U.S.C. §103(a) over EDWARDS in view of DOUGHERTY et al. (U.S. Patent No. 4,029,855).

Applicants respectfully traverse each of the outstanding rejections under 35 U.S.C. §102(b) and §103(a). In the above-noted telephone interview, the Examiner's position was that if the battery of EDWARDS was turned on its side, even inadvertently, then EDWARDS would meet the limitations of the invention recited in claim 1 of the present invention. Applicants respectfully submit that the above-noted assertion is in error, insofar as the battery of EDWARDS includes a pressure relief valve 20 provided on the lid 12. If the battery of EDWARDS is turned on its side, electrolyte fluid would presumably leak from the pressure relief valve 20. Without electrolyte fluid, the apparatus shown in the Figures of EDWARDS would presumably not operate as a battery. Since claim 1 of the present invention recites a "rechargeable battery", Applicants assert that the device of EDWARDS would not meet the limitations of the present invention if altered as suggested by the Examiner.

Additionally, Applicants have amended claim 1 to recite "upper open ends of the cell cases are closed by an integral lid member", a feature previously recited in claim 4. Applicants respectfully submit that if the device of EDWARDS were turned on its side, then an "open end" shown in Fig. 4 would not be "upper", but would rather be a "lateral" open end closed by a "lid 12 sealed to a casing 14" (see column 4, line 5). Accordingly, Applicants respectfully submit that there is not only no motivation to alter the device as suggested by the

P19757.A07

Examiner (i.e., by turning the device on a side), but that if the device is so modified, then the feature of "upper open ends of the cell cases are closed by an integral lid member" recited in claim 1 would not be met. In other words, if the device of EDWARDS is not altered then the literal features recited in claim 1 are not disclosed or suggested. Additionally, even if the device of EDWARDS is altered, then the literal features recited in claim 1 are not disclosed or suggested.

Applicants have additionally added claim 15 for consideration by the Examiner. Applicants respectfully submit that none of the embodiments of EDWARDS disclose or suggest that a collector plate is "C-shaped". Rather, none of the projecting arms (i.e., the "bends" 54 or the "end posts" 134) of the bus bars in Figures 2, 5 and 7 of EDWARDS disclose or suggest a "C-shaped" collector plate as recited in claim 15. Additionally, EDWARDS discloses at, for example, column 5, lines 3-7, that "[t]he compliant bus bars will compress until the upper arms 46 are in contact with lead cylinders 45" when pressure is applied to the stack, whereas claim 15 of the present application recites that "each collector plate is substantially C-shaped to restrict the group of positive electrode plates and the group of negative electrode plates" (emphasis added).

Applicants additionally submit that entry of the present amendment is proper, although the application is subject to final rejection. In particular, Applicants submit that the amendment to claim 1 merely adds a feature previously recited in dependent claim 4.

P19757.A07

Accordingly, the Examiner has presumably already considered the allowability of the features of claim 4 in combination with the features of claim 1. However, the Examiner has not indicated in the outstanding Final Official Action how the features of the invention recited in claim 4 can be disclosed or suggested by EDWARDS if EDWARDS is altered as suggested by the Examiner. Additionally, claim 15 recites substantially all of the features of claim 1 and claim 12 before the amendments made to claim 1 by the present response. Claim 15 additionally recites a reason why a C-shaped collect plate is provided.

Applicants additionally submit that each of claims 3-9 and 12-14 are allowable, at least for depending, directly or indirectly, from an allowable independent claim 1, as well as for reasons related to their own recitations. Accordingly, Applicants respectfully request entry of the present amendment, reconsideration and withdrawal of each of the outstanding rejections, and an indication of the allowability of each of the claims now pending.

Thus, Applicants submit that a clear basis exists for a finding of patentability of the pending claims included in the present amendment. An action to such effect is respectfully requested.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the claims so

P19757.A07

as to improve the form thereof and added a claim to recite additional features of the invention.

Applicants have discussed the disclosure of the references relied upon by the Examiner and have pointed out specific features of the claims not disclosed by the references. Applicants have further discussed the features recited in Applicants' claims and have pointed out how these features are not taught, disclosed nor rendered obvious by the disclosure of the reference cited by the Examiner

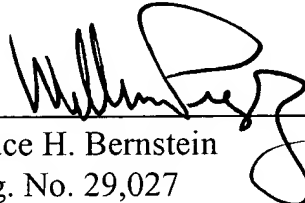
Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Any new claims and amendments to existing claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

P19757.A07

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Shinji HAMADA et al.



Bruce H. Bernstein
Reg. No. 29,027

Handwritten text to the right of the signature: *Reg No 33630*

January 9, 2003
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

MARKED-UP COPY OF THE AMENDED CLAIMS

1. (Twice Amended) A rechargeable battery, comprising:

a prismatic cell case having short lateral walls and long lateral walls;

a group of electrodes accommodated inside the cell case, the group of electrodes including a plurality of positive and negative electrode plates arranged alternately and substantially in parallel to the long lateral walls of the cell case with an intervening separator therebetween; and

a plurality of collector plates, wherein lateral edges of respective lead portions of the positive electrode plates and the negative electrode plates are attached to the collector plates, whereby the group of electrodes is held by the collector plates;

wherein said lateral edges of the positive electrode plates protrude beyond the negative electrode plates on one side, and said lateral edges of the negative electrode plates protrude beyond the group of positive electrode plates on the opposite side, the protruding portions forming the lead portions; and

wherein upper open ends of the cell cases are closed by an integral lid member.

4. (Twice Amended) The rechargeable battery of Claim 1, wherein:

a plurality of cell cases are coupled together as one piece with the short lateral walls of the cell cases being mutually integrated, thereby constituting an integral battery case;[

P19757.A07

upper open ends of the cell cases are closed by an integral lid member;] and
the collector plates in adjacent cell cases are connected to each other via a connection
fitting that extends through the short lateral walls between the adjacent cell cases.